

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISIONUnited States District Court  
Southern District of Texas  
FILED

DEC 13 2022

UNITED STATES OF AMERICA

v.

MIGUEL GARZA  
MARCOS PEREZ, III§  
§  
§  
§  
§

Criminal No. M-22-302-S2

Nathan Ochsner, Clerk

SECOND SUPERSEDING INDICTMENT

## THE GRAND JURY CHARGES:

Count One

From on or about September of 2018 until on or about September 22, 2022, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

MIGUEL GARZA  
and  
MARCOS PEREZ, III

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A).

Count Two

On or about February 9, 2022, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

MIGUEL GARZA

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 5 kilograms or more, that is, approximately 23 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

**Count Three**

On or about December 28, 2021, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**MIGUEL GARZA  
and  
MARCOS PEREZ, III**

did attempt to transport monetary funds, that is, approximately \$9,921.00 in United States currency, from a place outside the United States, that is, the United Mexican States, to a place inside the United States, that is, Starr County, Texas with the intent to promote the carrying on specified unlawful activity, that is, the distribution of a controlled substance.

In violation of Title 18, United States Code, Sections 1956(a) (2)(A) and 2.

**Count Four**

On or about June 12, 2022, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

**MIGUEL GARZA**

did corruptly attempt to, alter destroy, mutilate, and conceal a record, document, or other object or attempt to do so, with intent to impair its integrity and availability for use in an official proceeding.

In violation of Title 18, United States Code, Section 1512(c) (1), and Title 18, United States Code, Section 2.

**Count Five**

On or about September 22, 2022, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

**MIGUEL GARZA**

knowingly having been convicted of a crime punishable by imprisonment for a term exceeding one year, namely, for Possession with intent to distribute, before the U.S. District Court, Southern District of Texas, McAllen Division on July 1, 2015, in cause number 7:14-cr-1801, did knowingly and unlawfully possess in and affecting interstate and foreign commerce any firearm or ammunition, namely, eleven (11) rounds of Sellier & Bellot, .45 ACP, caliber ammunition, and three (3) rounds of Winchester-Western, 12 Gauge, caliber ammunition,

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**NOTICE OF FORFEITURE**  
**18 U.S.C. § 924(d)(1)**

Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c), the United States gives notice to defendant,

**MIGUEL GARZA**

that upon conviction of a violation of Title 18, United States Code, Section 922(g)(1), all firearms involved in said violation are subject to forfeiture, including but not limited to the following:

Eleven (11) rounds of Sellier & Bellot, .45 ACP, caliber ammunition  
Three (3) rounds of Winchester-Western, 12 Gauge, caliber ammunition

A TRUE BILL

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FOREPERSON

ALAMDAR S. HAMDANI  
UNITED STATES ATTORNEY

*Patricia Cook Prost*  
ASSISTANT UNITED STATES ATTORNEY